

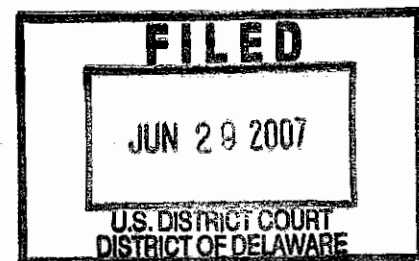
IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

KEVIN C. BRATHWAITE  
Plaintiff

V.

C.A. # 04-1542 - G.M.S.

LT. Marcello Rispoli, et al  
Defendants



BD scanned

MOTION FOR A RESTRAINING ORDER

COMES NOW, The Plaintiff, Kevin C. Brathwaite, requesting that this honorable court issue a restraining order against defendant, Robert Wallace, preventing him from having any contact with this plaintiff. To support this motion, this plaintiff offers the following:

1. This plaintiff is a permanent resident of S.H.U #17. AND due to the fact that everyone here

At this Facility is aware of the history of the conflict between this plaintiff and defendant Robert Wallace, the defendant was reassigned to another building to avoid contact with this plaintiff.

2. Defendant Wallace was just recently reassigned to return to bldg #17 where this plaintiff is housed.

3. This plaintiff has been employed as the tierman in bldg #17 since October, 3<sup>rd</sup>, 2006 and has not had any problems or any complaints from any other officers regarding his job performance.

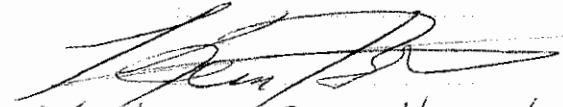
4. On June, 25<sup>th</sup>, 2007 while defendant Wallace was working in bldg #17 he was heard by four (4) other officers, stating that he was not satisfied with this plaintiff's job performance and that he would be fired soon.

5. Since defendant Wallace has been reassigned to bldg #17, this

Plaintiff has been receiving his legal mail AND personal mail already open AND tampered with. AND this Plaintiff does not even know if his outgoing mail is being tampered with or mailed out at all. Because when defendant Wallace works in bldg #17, he has access to everyone's incoming AND outgoing mail.

6. This Plaintiff does not want any problems or contact with this defendant AND will make every effort to avoid any conflict within reason.

Therefore, to avoid any unnecessary problems or conflicts, this Plaintiff respectfully request that this honorable court grant this motion for a restraining order, AND issue an order that clearly states that, defendant Wallace is not to have any contact with this Plaintiff.

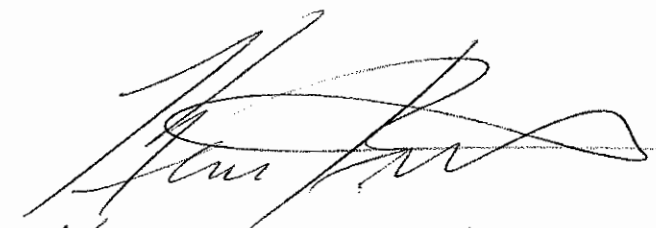
  
 KEVIN C. BRATHWAITE  
 1181 Paddock Rd  
 SMYRNA DE. 1997.

DATED: June 26<sup>th</sup>, 2007

Certificate of Service

I Kevin C. Brathwaite, states that I have caused a copy of the Attached Motion For a restraining order to be MAILED to the Following Party by way of U.S. Postal Service.

Ophelia Waters, Esq  
ATTY GEN OFFICE  
820 N. French St.  
Wilmington DE-  
19801



Kevin C. Brathwaite  
1181 Paddock Rd.  
Smyrna DE-  
19977

DATED: JUNE, 26<sup>th</sup>, 07

IM KEVIN C. BRATHWAITE

SBI# 315294 UNIT \_\_\_\_\_  
DELAWARE CORRECTIONAL CENTER  
1181 PADDOCK ROAD  
SMYRNA, DELAWARE 19977



U.S. DISTRICT COURT  
Office of the Clerk  
844 N. KING ST.  
Wilmington DE.  
19801

**U.S.M.S.**  
**X-RAY**

1980133519 0012